**HIGH COURT OF UTTARANCHAL AT NAINITAL**

**CRIMINAL MISC. APPLICATION NO. 130 OF 2002**

(Old No. 12634 of 1992)

Km. Vandana @ Minu,
D/o Sri Mahendra Lal Sahgal,
R/o Flat No. 6, Opposite Electric Sub Station,
Malkaganj Colony, Thana-Subjimandai Ghantaghar,
Delhi. .....Applicant.

Versus

1. Krishna Kumar, S/o Sundar Lal, r/o 255/1 Chuvuwala, P.S.-Kotwali, District-Dehradun.
2. State of U.P. .....Opposite Parties.

**Hon'ble Rajesh Tandon, J.**

Heard Sri Arvind Vashistha, counsel for the applicant, Sri Sandeep Tandon, counsel for the respondent no. 1 and A.G.A. for the State.

2. By the present application filed under Section 482 of the Code of Criminal Procedure, the applicant has prayed for quashing the order dated 18th July, 1992 passed by the learned 3rd Additional Sessions Judge, Dehradun in Criminal Revision No. 30 of 1992 Km. Vandana & Ors. Vs. State and Ors and the order dated 12.09.1991 passed by the Judicial Magistrate IInd by which the applicant was summoned.

3. Proceedings were initiated on the complaint made by Sri Krishna Kumar against Sri Sanjay-husband, Sri

Mahendra Lal Sehgal-father-in-law, Smt. Mohani Sahgal-mother-in-law and Km. Vandana-Sister-in-law.

4. According to the allegations made in the complaint, it appears that on 08.12.1987, parties were married and in the entire complaint as well as paragraph 2 of the complaint, it has specifically been mentioned that Km. Vandana sister-in-law has raised the dowry demand. At this stage, I am not commenting anything on merits on the complaint made under Section 498 & 406 I.P.C..

5. However, from the perusal of the complaint, it appears that the demand of dowry has been made from the side of the husband and his father in law. However, the same shall be subject to the scrutiny during the trial.

6. Since the trial is held up due to the stay order passed by this Court on 30th September, 1992, it is desirable in the interest of justice that let the trial may proceed.

7. However, so far as Km. Vandana is concerned she is already married. Petitioner/applicant is directed to appear before the CJM concerned within 15 days of passing of this order. The court will permit her to file appearance bond to his satisfaction for her regular appearance in the case.

8. Subject to aforesaid observations, petition filed under Section 482 of the Cr.P.C. is disposed of. No order as to costs.

(Rajesh Tandon, J.)

21.11.2006
*Rathour*